IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3910 of 2005

Between:

Sriramoju Manikya Chary, S/o Late Raghunatham,
R/o H.No. 4-2-35, Jafri Road, Karimnagar District.

..... PETITIONER

AND

1 The District Collector, Karimnagar District.
2 The Revenue Divisional Officer, Karimnagar District.
3 The Mandal Revenue Officer, Karimnagar Mandal, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, Direction or Writ more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd Respondent in not concluding enquiry initiated on representation/application dated 3-10-2003, requesting for rectification of entries and for recording the name of the Petitioner as Pattedar in the revenue records in respect of land bearing Survey No. 615/2, admeasuring 5 acres, situated at Nagunoor Village, Karimnagar Mandal and Karimnagar District, and not implementing the direction of the 1st respondent dated 28-8-2004, as illegal, arbitrary, unreasonable, unjust, unsustainable in law and opposed to the principles of natural justice and contrary to the provisions of the A.P. assigned lands (Prohibition of Transfer) Act, 1977 and Rules made thereunder.

Counsel for the Petitioner:MR.P.PURUSHOTHAM REDDY

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the admission stage made the following :

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ORDER:

The petitioner claims that in the year 1967 an extent of Ac:5-00 of dry land in Sy.No.615/2 situated at Nagunoor Village, Karimnagar Mandal and District was assigned in her favour by the then Tahsildar. It is alleged that one Swargam Mallesham having created certain false documents, got his name mutated in the revenue records in respect of the said assigned land. Immediately, the petitioner made a representation dated 3-10-2003 requesting the 3rd respondent-Mandal Revenue Officer for taking the necessary action. But, even after a lapse of 8 months, the 3rd respondent has failed to take action on her application nor conducted any enquiry. Aggrieved by the same, the petitioner made a representation dated 28-8-2004 to the 1st respondent-District Collector. In pursuance of the said application, the first respondent, by his letter dated 11-01-2005, directed the Mandal Revenue Officer to take action under Section 3(1) of the Andhra Pradesh Assigbed Lands (Prohibition of Transfer) Act, 1977 after giving notice to the persons concerned and to restore the possession of the land to the original assignee on the basis of recorded evidence.

The only grievance of the petitioner in this writ petition is that the 3rd respondent failed to take any further steps and no orders have been passed so far in terms of the directions of the first respondent.

Having heard the learned counsel for the petitioner and also the learned Government Pleader for Revenue appearing for the respondents, the writ petition is disposed of with a direction to the 3rd respondent to take necessary steps in terms of the directions of the first respondent dated 11-01-2005 and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. No costs.

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01-03-2005

To

1 The District Collector, Karimnagar District.
2 The Revenue Divisional Officer, Karimnagar District.
3 The Mandal Revenue Officer, Karimnagar Mandal, Karimnagar

District.

4. Two CCs to the Government Pleader for Revenue, High Court

building, Hyderabad. (OUT)

5. Two C.D. copies.

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